

Message Text

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ACTION L-02

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FM AMCONSUL NAHA

TO SECSTATE WASHDC 1748

INFO AMEMBASSY TOKYO

US ARMY ENGINEERS DISTRICT (OKI) ZUKERAN

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E.O. 11652: NA

TAGS: MARR, JA

SUBJ: OKINAWA EX GRATIA CLAIMS /// REF: STATE 127604

SUMMARY: REAL ESTATE DIVISION ALMOST READY TO SUBMIT CLAIM
PACKAGES. WHILE SETTING EXPIRATION DATE FOR FILING CLAIMS IS
DESIRABLE, HOLDING UP PAYMENT OF ALREADY VALIDATED CLIMS
UNTIL DATE PASSES IS UNDESIRABLE. ACTION REQUESTED: PERMIT
PAYMENT OF CLAIMS AS SOON AS PACKAGES ARE APPROVED IN WASHINGTON.
END SUMMARY

1. THE ARMY ENGINEERS REAL ESTATE DIVISION CERTIFIES THAT
UNDER NO CIRCUMSTANCES WILL THE TOTAL AMOUNT OF VALIDATED

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CLAIMS EXCEED FOUR MILLION DOLLARS (IN FACT THEY WILL NOT
EXCEED ONE MILLION DOLLARS). THIS INCLUDES LANDS ON WHICH
VALID CLAIMS HAVE BEEN FILED AS WELL AS ELIGIBLE CLAIMS HELD
IN ABEYANCE BECAUSE THEIR TITLES ARE NOT CLEAR. ANY ADDITIONAL
CLAIMS WHICH MIGHT BE FILED AND VALIDATED WOULD BE INSIGNIFICANT,
BASED ON THE FACT THAT THE CURRENT EX GRATIA EXERCISE COVERS
ONLY LANDS RELEASED BY THE U.S. BETWEEN JULY 1, 1961 AND MAY 14,
1972, AND THE EXHAUSTIVE INVESTIGATION ALREADY UNDERTAKEN BY
THE REAL ESTATE DIVISION IN COOPERATION WITH THE LANDOWNERS
FEDERATION AND PREFECTURAL AND LOCAL GOVTS.

2. THE REAL ESTATE DIVISION CANNOT REPEAT CANNOT CERTIFY THAT
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DATE FOR FILING CLAIMS HAS EXPIRED, BECAUSE NO EXPIRATION DATE

HAS BEEN SET. NO DATE WAS CONTAINED IN THE REVERSION AGREEMENT. THE USG WILL HAVE TO DECIDE ON AN EXPIRATION DATE, THEN PRESUMABLY CONSULT WITH GOJ, GIVE REASONABLE ADVANCE NOTICE OF THE DATE, AND THEN ALLOW THE DATE TO PASS.

3. IN PRINCIPLE, SETTING AN EXPIRATION DATE IS DESIRABLE, TO PRECLUDE AN ENDLESS TRICKLE OF CLAIMS COMING IN. HOWEVER, DELAYING THE PAYMENT OF CLAIMS WHICH HAVE ALREADY BEEN VALIDATED UNTIL AFTER PASSAGE OF SOME EXPIRATION DATE IS NOT DESIRABLE.

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ARMY ENGINEERS REAL ESTATE DIVISION HAS THE BEST CAPABILITY OF ANY ORGANIZATION ON OKINAWA TO MAKE THE PAYMENTS AND RECEIVE QUITE CLAIMS; IF THE PAYMENT PROCESS IS DELAYED SIGNIFICANTLY, THE DIVISION WILL BE PHASING OUT AND THE PAYMENT PROCESS WILL HAVE TO PASS TO SOME OTHER OFFICE WHICH HAS HAD NO EXPERIENCE WITH EXERCISE. FYI, THE COST OF PROCESSING SUCH CLAIMS IS NOT CHARGEABLE TO THE LUMP SUM AVAILABLE FOR DISTRIBUTION BUT IS BORNE BY THE USG; IT HAS ALREADY COST WELL OVER HALF A MILLION DOLLARS AND WILL BE INCREASED BY ANY FURTHER DELAYS.

4. THE REAL ESTATE DIVISION HAS ALREADY ORGANIZED THE CLAIMS INTO 37 PACKAGES REPRESENTING THE VARIOUS MUNICIPALITIES AND INSTALLATIONS THEREIN INVOLVED. CLAIMANT LISTS FOR EACH PACKAGE HAVE ALREADY BEEN TYPED, BUT DIVISION WILL RETYPE THEM (FOR EACH PACKAGE) IN ALPHABETICAL ORDER ON 8 X 10-1/2 WHITE PAPER, AS REQUESTED.

5. CON GEN IS WILLING TO RECEIVE CHECKS FROM THE LEGAL ADVISER'S OFFICE, BUT WOULD PREFER TO PASS THEM TO THE REAL ESTATE DIVISION FOR ACTUAL PAYMENT TO BENEFICIARIES, AS THE LATTER IS BETTER SET UP TO MAKE PAYMENT AND GET SIGNED QUIT CLAIMS THAN WE ARE. THE DIVISION PLANS TO SEND TEAMS TO EACH

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AREA AND MAKE THE BULK OF PAYMENTS TO CLAIMANTS THERE, IN ORDER TO REDUCE THE NUMBER OF CLAIMANTS WHO WILL HAVE TO GO TO DIVISION'S OFFICE. THE CONGEN IS NOT EQUIPPED TO HANDLE THIS PROCESS.

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6. ACTION REQUESTED: A) PLEASE PERMIT US TO BEGIN PAYMENT PROCESS AS SOON AS PACKAGES ARE APPROVED IN DEPARTMENT.

B) CONCURRENTLY, AUTHORIZE THE SETTING OF AN EXPIRATION DATE FOR FILING OF EX GRATIA CLAIMS AND CONSULTATIONS WITH THE GOJ ON THIS MATTER.

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Disposition Approved on Date:
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Disposition History: n/a
Disposition Reason:
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Status: NATIVE
Subject: OKINAWA EX GRATIA CLAIMS /// REF: STATE 127604 SUMMARY: REAL ESTATE DIVISION ALMOST READY TO SUBMIT CLAIM
TAGS: MARR, JA, YQ, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006